

UNITED STATES DISTRICT COURT

for the
Southern District of TexasUnited States District Court
Southern District of Texas
FILED

MAY 01 2018

Clerk of Court

United States of America)

v.)

Apolonio Barrera)

Case No. M-18-908-M)

Defendant

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

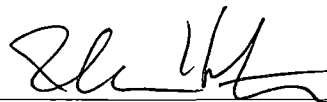
On or about the date of 02/17/2018 in the county of Hidalgo in the Southern District of Texas, the defendant violated Title 18 U. S. C. § 39A, an offense described as follows:

Aiming a laser pointer at an aircraft

Whoever knowingly aims the beam of a laser pointer at an aircraft in the special aircraft jurisdiction of the United States, or at the flight path of such an aircraft, shall be fined under this title or imprisoned not more than 5 years, or both.

This criminal complaint is based on these facts:

SEE ATTACHMENT A

☒ Continued on the attached sheet.

Complainant's signature

Andrew Huminski, FBI Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 05/01/2018City and state: McAllen, Texas

Judge's signature

J. Scott Hacker, US Magistrate Judge

Printed name and title

ATTACHMENT A

I am a Special Agent of the Federal Bureau of Investigation (FBI), and have knowledge of the following facts:

1. On February 17, 2018, at approximately 7:50 pm, a United States Customs and Border Protection (CBP) helicopter - aircraft N3935A - was patrolling the Rio Grande Valley Sector when its cockpit was illuminated by a green laser for approximately 5 to 10 seconds.
2. The CBP aircrew, who were flying under night vision goggles, located the source of the laser beam and trained their Forward Looking Infrared (FLIR) camera system on two individuals in the backyard of a residence. While keeping the individuals under surveillance with their FLIR, the aircrew requested assistance from Border Patrol ground units in identifying the person(s) responsible for the laser strike.
3. Border Patrol Agents (BPA) and a Hidalgo Police Department officer responded to the residence and encountered Apolonio Barrera, who said he aimed his laser pointer at the helicopter. The BPA seized the laser pointer, which was turned over by Barrera.
4. The FBI interviewed Barrera on February 28, 2018, who, post-Miranda, admitted to directing a laser beam at an aircraft during the evening of the 17th.